IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Civil Contempt Petition No. 245 of 2003

Harish Kumar Negi S/O Sri Gajpal Singh Negi, R/O Village Panai, Post Office Gauchar , District Chamoli.

…….. Applicant.

Versus

1. C.Francis, Additional D.I.G. Group Centre, C.R.P.F. Avadi Chennai-65,
2, Satish Chandra Chaubey, Director General of C.R.P.F. Lodhi Road, New Delhi.
3. Dhirender Singh, Home Secretary, Union of India, New Delhi.

…..Respondents.

Sri Mangal Singhh Chhauhhan, learned counsel for the applicant.
Ms. Anjali Bhargava, learned standing counsel for UOI-respondents.

Date August 24, 2007.

Hon'ble B.S.Verma, J.

This contempt petition has been moved to punish the respondents for having committed gross contempt, willful and deliberate disobedience of the Court's order date 3-4-2003.

By the order dated 3-4-2003, the Division Bench of this Court in Writ Petition No. 4557 (S/S) of 2001, Harish Kumar Negi Vs. Additional D.I.G.P. Group and others, has passed the order to the following effect:-

"However, in the circumstances of the case the respondent-authority is directed to consider the petitioner for the posts according to his educational qualification where the aforesaid physical requirement is not necessary."

Learned counsel for the respondent-Union of India has stated that the order of the Court has been complied with but the petitioner did not join his duty. Appointment letter dated 21-11-2003 was issued to the petitioner on the post of water carrier, a

copy of which has been annexed as SCA-3 along with short counter affidavit filed by the respondents. The petitioner in turn made a request for extension of time for 15 days and the time was extended up-to 6-6-2005.

Having considered the entire facts and circumstances of the case, if the petitioner is willing to join on the post of water carrier, he may approach to the authority concerned for joining.

With the above observation, the contempt petition is dismissed.

Notices issues to the respondents are discharged.

All applications stand disposed of.

(B.S.Verma, J.)

RCP